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**BEFORE THE ARIZONA CORPORATION COMMISSION****COMMISSIONERS**

Arizona Corporation Commission

**DOCKETED**

MAY 23 2014

BOB STUMP - Chairman  
GARY PIERCE  
BRENDA BURNS  
BOB BURNS  
SUSAN BITTER SMITH

DOCKETED BY

IN THE MATTER OF MIDVALE TELEPHONE  
COMPANY, INC.'S APPLICATION FOR  
EXTENSION OF ITS CERTIFICATE OF  
CONVENIENCE AND NECESSITY.

DOCKET NO. T-02532A-08-0542

DECISION NO. 74487**OPINION AND ORDER**

DATE OF HEARING:

April 15, 2014

PLACE OF HEARING:

Phoenix, Arizona

ADMINISTRATIVE LAW JUDGE:

Yvette B. Kinsey<sup>1</sup>

APPEARANCES:

Mr. Gary H. Horton, on behalf of Midvale  
Telephone Company, Inc.;Mr. Norman G. Curtright, on behalf of Qwest  
Corporation dba CenturyLink-QC; andMr. Matthew Laudone, Staff Attorney, Legal  
Division, on behalf of the Utilities Division of  
the Arizona Corporation Commission.**BY THE COMMISSION:**

This case involves a request by Midvale Telephone Company, Inc. to extend its Certificate of Convenience and Necessity to provide facilities-based local exchange telecommunications services in a portion of service territory currently held by Qwest Corporation doing business as ("dba") CenturyLink-QC.

\* \* \* \* \*

Having considered the entire record herein and being fully advised in the premises, the Commission finds, concludes, and orders that:

...

<sup>1</sup> Administrative Law Judge Yvette B. Kinsey presided over the evidentiary hearing for Administrative Law Judge Sarah N. Harpring, who prepared the Recommended Opinion and Order in this matter.

**FINDINGS OF FACT****Procedural History**

1. On October 17, 2008, Midvale Telephone Exchange Inc. ("Midvale") filed with the Arizona Corporation Commission ("Commission") an application requesting an amendment to its Certificate of Convenience and Necessity ("CC&N"), to add customer locations within Qwest Communication Corporation's ("QCC's") service area.<sup>2</sup> In the application, Midvale stated that it desired Commission authorization to provide facilities-based local exchange service and toll service to two currently unserved customers located in an area of Yavapai County immediately contiguous to the Long Meadows portion of Midvale's Mill Site Exchange ("extension area").

2. On November 12, 2008, Qwest Corporation ("Qwest") filed a notice indicating that it had accepted service of process of Midvale's application, as it was Qwest rather than QCC that was providing local exchange telecommunications services in the extension area. Qwest requested that the service list for this matter be revised to include Qwest and exclude QCC.

3. On November 14, 2008, the Commission's Utilities Division ("Staff") issued a Letter of Insufficiency to Midvale, along with a request for additional data.

4. No additional filings were made in this docket until May 7, 2010, when a Procedural Order was issued requiring Staff to file an update on the status of this matter, including any appropriate recommendations as to how the matter should be resolved and a statement regarding whether the matter should be administratively closed.

5. On May 12, 2010, Midvale filed an Amended Application, in which Midvale continued to identify QCC as the provider for the service area including the extension area. Midvale stated that the Amended Application changed the description of the extension area and provided updated loop/line counts. Subsequently, Midvale filed a revised legal description for the extension area.

6. On May 26, 2010, Staff filed a Staff Update stating that Staff was reviewing Midvale's application and would process it.

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<sup>2</sup> This was an error, as the correct entity was Qwest Corporation.

1           7.     On June 14, 2010, Midvale filed Responses to Staff's First Set of Data Requests.

2           8.     On June 29, 2010, Staff filed a Letter of Sufficiency stating that Midvale's Amended  
3 Application had met the sufficiency requirements of A.A.C. R14-2-502 and that the Commission had  
4 150 calendar days to complete its substantive review.

5           9.     On July 1, 2010, a Procedural Order was issued requiring Qwest, by July 30, 2010, to  
6 file a document either requesting to be added to this docket as a joint applicant or explaining why it  
7 was not necessary for Qwest to participate as a party herein. The Procedural Order further permitted  
8 Midvale and Staff to make filings providing input on the need for Qwest to participate as a party  
9 herein and extended the Commission's time frame to issue a Decision in this matter by 30 days.

10          10.    On July 30, 2010, Qwest filed Qwest Corporation's Motion to be Added as a  
11 Necessary Party and Statement of Position, in which Qwest requested to be added as a necessary  
12 party in interest to this proceeding and not to be designated as a joint applicant. Qwest stated that  
13 Qwest supported Midvale's Amended Application and that Qwest was willing to participate and fully  
14 cooperate in the proceeding, but that Qwest was not the moving entity and did not believe it should  
15 be required to bear the costs of the proceeding. Qwest also noted that Qwest and Midvale had agreed  
16 that the circumstances underlying Midvale's Amended Application also existed or could arise with  
17 other portions of Qwest's Prescott Exchange bordering Midvale's existing service area. Qwest stated  
18 that Midvale and Qwest had agreed that it would be more efficient to address these circumstances  
19 comprehensively in this proceeding by including additional portions of Qwest's Prescott Exchange  
20 that could be served more economically by Midvale. Qwest further stated that it understood Midvale  
21 was preparing to amend its Amended Application.

22          11.    On August 11, 2010, a Procedural Order was issued joining Qwest as a necessary  
23 party in interest in this matter and suspending the time frame in this matter until Midvale filed with  
24 Docket Control either an amendment to its Amended Application or a document stating that it was  
25 ready to go forward with its Amended Application as it stood.

26          12.    On November 15, 2010, Midvale filed a Second Amended Application, in which it  
27 again identified QCC as the holder of the service area in which the extension area was located and  
28 amended the extension area to include additional areas.

1        13.     On November 16, 2010, a Procedural Order was issued requiring Qwest to file a  
2 response to Midvale's Second Amended Application, requiring Staff to file a document regarding the  
3 sufficiency of Midvale's Second Amended Application, and suspending the time frame in this matter.

4        14.     On December 7, 2010, Staff filed Staff's Second Letter of Insufficiency and Second  
5 Set of Data Requests.

6        15.     On December 15, 2010, Midvale filed an amended Attachment C to its Second  
7 Amended Application, which included a legal description.

8        16.     On January 4, 2011, Qwest filed its response to the Second Amended Application,  
9 stating that the legal description in the amended Attachment C to the Second Amended Application  
10 was correct; that Qwest was the local exchange service provider of record in the affected areas; and  
11 that Qwest consented to the transfer of the extension area to Midvale, for the reasons stated in  
12 Qwest's Motion filed on July 30, 2010.

13        17.     No additional filings were made in this docket until December 16, 2011, when a  
14 Procedural Order was issued requiring Midvale and Qwest to make filings providing their current  
15 positions in the matter and proposals for how the matter should proceed and requiring Staff to file a  
16 response including a recommendation as to how this matter should proceed.

17        18.     On January 6, 2012, in Docket No. T-02532A-10-0207 et al., Decision No. 72728<sup>3</sup>  
18 was issued approving Midvale's request to transfer its assets, liabilities, and customers to Midvale  
19 Telephone Company, Inc. ("MTCI") and transferring to MTCI both Midvale's CC&N for facilities-  
20 based local exchange telecommunications services and Midvale's Eligible Telecommunications  
21 Carrier ("ETC") designation.

22        19.     On January 17, 2012, Qwest dba CenturyLink-QC ("CenturyLink")<sup>4</sup> filed its response  
23 to the December 2011 Procedural Order, stating that its position in this matter had not changed and  
24 that it continued to support the proposed transfer of territory as set forth in the Second Amended  
25 Application, as amended by Midvale's Attachment C. CenturyLink added that it believed this matter  
26

27 <sup>3</sup> Official notice is taken of this Decision.

28 <sup>4</sup> On March 9, 2011, in Decision No. 72232, the Commission granted, pursuant to the terms of a Settlement Agreement, approval of an application for merger of parent corporations Qwest Communications International Inc. and CenturyTel, Inc. Official notice is taken of this Decision.

1 should proceed in typical fashion, with a Staff Report, followed by a brief hearing after notice to  
2 affected customers.

3       20.     On January 30, 2012, MTCI filed its response to the December 2011 Procedural  
4 Order, stating that MTCI desired to seek transfer of the territory in the Second Amended Application,  
5 as amended by Midvale's Attachment C. MTCI stated that it believed the matter should move  
6 forward with a Staff Report, notice to Midvale's customers, and a short hearing. MTCI also stated  
7 that it would not object to having the matter proceed to Open Meeting without a hearing.

8       21.     On February 17, 2012, Staff filed its response to the December 2011 Procedural  
9 Order, stating that Staff agreed that the matter should proceed, but had not yet received a response to  
10 Staff's Second Letter of Insufficiency and Second Data Request. Staff recommended that, in order to  
11 move forward, Midvale file its response to the Second Data Request and all future Data Requests in  
12 an expeditious manner, to allow Staff to make a sufficiency finding and complete its analysis. Staff  
13 stated that it agreed with the process described by CenturyLink in its January 2012 filing.

14       22.     No additional filings were made in this docket until April 9, 2013, when a Procedural  
15 Order was issued requiring MTCI and CenturyLink to make filings providing their current positions  
16 in the matter and proposals for how the matter should be resolved, requiring Staff to make a filing in  
17 response and including a recommendation as to how the matter should be resolved, and requiring all  
18 of the parties to address whether this docket should be administratively closed.

19       23.     On May 10, 2013, CenturyLink filed its response to the April 2013 Procedural Order,  
20 stating that its position had not changed and that it continued to support the proposed transfer of  
21 territory as set forth in Midvale's Second Amended Application, as amended by Midvale's  
22 Attachment C filed on December 15, 2010. CenturyLink stated that the proceeding should move  
23 forward.

24       24.     On May 13, 2013, MTCI filed its response to the April 2013 Procedural Order, stating  
25 that it was still in the public interest for the transfer to be completed; that the only barrier to  
26 sufficiency was the filing of an acceptable legal description of the transfer area; and that the matter  
27 should move forward to Open Meeting, without a hearing, once the Second Amended Application  
28 was found sufficient, a Staff Report was filed, and notice was given to affected customers.

1           25.     On May 21, 2013, Staff filed its response to the April 2013 Procedural Order, stating  
2 that Staff agreed the matter should proceed, that Staff had been working on the correct legal  
3 description with MTCI and CenturyLink, and that Staff would be filing a corrected legal description.  
4 Staff stated that it would then make a sufficiency finding, complete its analysis, and file a Staff  
5 Report.

6           26.     On November 18, 2013, Staff filed a corrected legal description and corresponding  
7 map. Staff stated that both MTCI and CenturyLink agreed as to the legal description and that  
8 CenturyLink had confirmed that it had no customers in the transfer area.

9           27.     On February 11, 2014, Staff filed its Staff Report, recommending approval of MTCI's  
10 Second Amended Application, subject to certain conditions.

11           28.     On February 14, 2014, a Procedural Order was issued setting the date for hearing in  
12 this matter.

13           29.     On February 28, 2014, CenturyLink filed its Request for Legal Counsel to Appear  
14 Telephonically at the April 15, 2014 hearing ("Request").

15           30.     On March 14, 2014, a Procedural Order was issued granting CenturyLink's Request.

16           31.     On April 2, 2014, MTCI filed a Notice of Filing of Affidavit of Publication and  
17 Mailing, showing that the prescribed notice of the hearing in this matter had been mailed to all  
18 residents of the extension area on March 11 and 12, 2014, and published in *The Daily Courier*, a  
19 daily newspaper of general circulation published in the City of Prescott, March 14 through March 16,  
20 2014.

21           32.     On April 15, 2014, a full evidentiary hearing in this matter was held before a duly  
22 authorized Administrative Law Judge of the Commission at the Commission's offices in Phoenix,  
23 Arizona. MTCI, CenturyLink, and Staff appeared through counsel<sup>5</sup> and provided evidence.<sup>6</sup> No  
24 member of the public appeared to provide public comment.

25 ...

26 ...

27 <sup>5</sup> Counsel for CenturyLink appeared telephonically.

28 <sup>6</sup> At MTCI's request, official notice was taken of the filings made by Midvale and MTCI in the docket for this matter, to include application filings, data responses, and proof of notice. (Tr. at 6.)

1 **General Background**

2 33. Midvale was granted a CC&N to provide facilities-based local exchange  
3 telecommunications services in its Cascabel Exchange in Decision No. 58048 (October 29, 1992).  
4 (Ex. S-1 at 4.) MTCI now holds Midvale's CC&N, for which the service area has been expanded  
5 through subsequent Commission Decisions to include the Young, Silver Bell, Granite Mountain, and  
6 Mill Site Exchanges as well. (*See id.* at 4-5.) MTCI is a facilities-based Incumbent Local Exchange  
7 Carrier ("ILEC") and holds ETC designation. (Decision No. 72728 at 1.)

8 34. MTCI has been providing service in the Mill Site Exchange area for approximately 11  
9 years. (Tr. at 11.) As of December 2, 2013, MTCI was providing services to approximately 1,142  
10 rural residential customers and 98 rural business customers. (Ex. S-1 at 5.)

11 35. Staff reported that MTCI is in good standing with the Commission's Corporations  
12 Division; that all complaints filed with the Commission regarding MTCI had been resolved and  
13 closed as of December 2, 2013; and that MTCI had no outstanding Commission compliance items.  
14 (Ex. S-1 at 7.) MTCI reported that it has never had its authorization to provide service revoked in  
15 any state and, further, that it has not been the subject of any complaints filed with the Commission or  
16 the Federal Communications Commission ("FCC") since the Staff Report was issued in February  
17 2014. (Tr. at 11.)

18 36. CenturyLink, through its predecessors, is also an ILEC and has been providing  
19 facilities-based local exchange services in Arizona since before Arizona's statehood. (*See* Decision  
20 No. 70641 (December 17, 2008); Decision No. 74092 (September 23, 2013)<sup>7</sup>; Tr. at 14.)  
21 CenturyLink's Arizona service area is designated in service area maps incorporated into its tariffs and  
22 approved by the Commission. (*See id.*)

23 **Requested Extension Area**

24 37. The extension area requested by MTCI, which is fully identified in Exhibit A, attached  
25 hereto and incorporated herein,<sup>8</sup> contains all of Sections 1, 2, 11, 12, and 13 and portions of Sections  
26 14, 15, 22, and 23 within Township 16 North, Range 4 West of the Gila and Salt River Base and

27 <sup>7</sup> Official notice is taken of these Decisions.

28 <sup>8</sup> Official notice is taken of Staff's Notice of Filing Corrected Legal Description, docketed in this matter on November 18, 2013.

1 Meridian, Yavapai County, as well as portions of Sections 17 and 20 within Township 16 North,  
2 Range 3 West of the Gila and Salt River Base and Meridian, Yavapai County.

3 38. MTCI's Mill Site Exchange borders the extension area, and Midvale intends to  
4 provide service to customers in the extension area under the same rates and conditions as in its Mill  
5 Site Exchange. (Tr. at 9.) According to MTCI, there are potentially six to eight customers in the  
6 extension area, most of them residential. (*Id.* at 10.) MTCI has been providing local exchange  
7 service to two residential customers within the extension area, pursuant to agreement with  
8 CenturyLink, since May 2008 and January 2012, respectively. (Ex. S-1 at 7.)

9 39. Because MTCI has existing fiber running through the entire extension area, MTCI  
10 asserted that the only expense for MTCI to provide service to customers within the extension area  
11 would be from running drops to the homes, for which MTCI would charge a \$35 installation fee per  
12 customer. (Tr. at 10-11.) MTCI intends to provide a full range of modern telecommunications  
13 services, including high speed internet access, to the extension area customers using Fiber to the  
14 Home ("FTTH") technology and further intends to complete construction and provide service within  
15 60 days of a customer request. (Ex. S-1 at 6.)

16 40. MTCI will not borrow funds to finance any necessary construction, using general  
17 funds instead. (Ex. S-1 at 6.) MTCI has ETC designation and receives Federal Universal Service  
18 Funds ("FUSF") in the Mill Site Exchange, but predicts little impact to its FUSF receipts because of  
19 the low number of potential customers in the extension area. (*Id.*)

20 41. MTCI's tariffed rate for residential basic local exchange service in the Mill Site  
21 Exchange is \$24.00, and its rate for basic business local exchange service is \$30.00. (Ex. S-1 at 7.)  
22 MTCI also offers to its Mill Site Exchange customers vertical services such as caller ID, call  
23 forwarding, call waiting, and 3-way calling; broadband service; and extended area service ("EAS")  
24 calling for all three CenturyLink Exchanges within the Prescott local calling area. (*Id.*) Additionally,  
25 MTCI provides a toll-free customer service line during regular business hours and emergency and  
26 service outage reporting at all times, with employees on standby to correct problems. (*Id.*)

27 42. CenturyLink is willing and would be able to serve customers within the extension  
28 area, but the cost for CenturyLink to provide that service may be viewed as prohibitive by those



1 customers, as CenturyLink's tariff would require potential customers to pay any applicable line  
 2 extension costs. (Ex. S-1 at 6; Tr. at 14-15.) CenturyLink's facilities construction costs would be  
 3 higher than MTCI's costs because CenturyLink does not have any nearby facilities, while MTCI  
 4 does. (Ex. S-1 at 6.) Thus, although CenturyLink's recurring monthly rate for basic residential  
 5 service is lower than MTCI's, the overall cost to customers would likely be higher. (*Id.*)  
 6 CenturyLink has asserted that it would be reasonable and in the public interest for the Commission to  
 7 approve MTCI's application, and CenturyLink supports it. (*Id.*; Tr. at 15.) CenturyLink asserted that  
 8 it has no existing customers in the extension area, that none of its existing customers will be impacted  
 9 by the transfer of the extension area to MTCI, and that the Second Amended Application addresses  
 10 all of the areas that CenturyLink has identified as being more appropriately served by MTCI than by  
 11 CenturyLink. (Tr. at 15-17.)

#### 12 **Federal Study Area Boundary Freeze**

13 43. CenturyLink's witness testified that a Study Area boundary freeze waiver must be  
 14 obtained from the FCC whenever service territory boundaries change. (Tr. at 16-17.) Thus,  
 15 CenturyLink testified that it would work with the FCC to ensure that the FCC requirements are met.  
 16 (*Id.*) CenturyLink also asserted that the FCC only approves such a waiver after Commission  
 17 approval is obtained. (*Id.* at 18.) CenturyLink is willing to file notice in the docket for this matter  
 18 when the FCC waiver is approved. (*Id.*)

19 44. In a prior case in which the Commission was requested to provide a statement that it  
 20 did not object to a Study Area boundary waiver, the Commission stated the following:

21 Staff explained that the FCC froze Study Area boundaries as of November  
 22 15, 1984, to prevent holding companies from setting up high cost  
 23 exchanges as separate companies within the holding companies' existing  
 24 territories to maximize high-cost support. Staff stated that in reviewing  
 25 Study Area waiver petitions, the FCC considers (1) whether the change in  
 26 Study Area boundaries will adversely affect the USF, (2) whether a state  
 27 commission with regulatory authority over the transferred area has  
 28 opposed the transfer, and (3) whether the transfer is in the public interest.

....

[The Company] testified that the FCC waiver would allow [it] to include  
 the . . . extension area within its Study Area and thus in its cost study.  
 Without the waiver, [the Company] would be required to make a separate

cost study for the . . . extension area, would not be able to receive federal USF on its costs, and would have to file separate National Exchange Carrier Association ("NECA") tariffs<sup>5</sup> for it, all of which would be administratively burdensome. [The Company] also testified that the FCC waiver would ultimately allow [it] to receive federal USF for the . . . extension area.

<sup>5</sup> NECA represents small rural carriers' interests before the federal government and files with the federal government consolidated tariffs that all of the represented carriers participate in.<sup>9</sup>

45. No party has disputed CenturyLink's assertion regarding the need for an FCC waiver of the Study Area boundary freeze or objected to the Commission's expressing support for such a waiver.

#### **Staff's Recommendations**

46. Staff asserted that it is in the public's best interests to grant MTCI the requested CC&N extension because customers in the extension area will receive cheaper service establishment faster than they would with CenturyLink. (Tr. at 21-22.)

47. Staff recommends that the Commission:

(a) Find approval of MTCI's requested CC&N extension to be in the public interest;

(b) Authorize MTCI to use its Mill Site Exchange rates, charges, and other terms and conditions of service in the extension area; and

(c) Approve the transfer of the extension area from CenturyLink to MTCI, subject to the following conditions:

(i) MTCI and CenturyLink shall update their service area maps on file with the Commission within 60 days of a Decision granting MTCI's application; and

(ii) MTCI shall include the extension area as part of its Mill Site Exchange and shall apply its currently authorized tariffed rates and charges for the Mill Site Exchange to the extension area until further Order of the Commission.<sup>10</sup>

<sup>9</sup> Decision No. 70641 at 10 (citations omitted).

<sup>10</sup> Ex. S-1 at 8.

1        48.    Neither MTCI nor CenturyLink expressed objection to Staff's recommendations. (Tr.  
2 at 12, 16.)

3    **Resolution**

4        49.    Based upon the record in this matter, we conclude that the interests of the residents of  
5 the extension area, and the public interest, will be best served by granting MTCI's request for an  
6 extension of its CC&N to include the extension area described in Exhibit A hereto.

7        50.    Staff's recommendations set forth in Findings of Fact No. 47 are reasonable and  
8 appropriate and in the public interest and will be adopted.

9        51.    CenturyLink's request that the Commission express support for an FCC waiver of the  
10 Study Area boundary freeze, to allow the transfer of the extension area from CenturyLink to MTCI,  
11 is reasonable and appropriate and will be granted. Additionally, the Commission will require  
12 CenturyLink to file notice that such a waiver is received.

13                                    **CONCLUSIONS OF LAW**

14        1.       MTCI is a public service corporation within the meaning of Article XV of the Arizona  
15 Constitution and A.R.S. §§ 40-281 and 40-282.

16        2.       CenturyLink is a public service corporation within the meaning of Article XV of the  
17 Arizona Constitution and A.R.S. §§ 40-281 and 40-282.

18        3.       The Commission has jurisdiction over MTCI and CenturyLink and the subject matter  
19 of MTCI's application.

20        4.       Notice of MTCI's Second Amended Application and the hearing in this matter was  
21 given in accordance with the law.

22        5.       Pursuant to Article XV of the Arizona Constitution and the Arizona Revised Statutes,  
23 it is in the public interest to eliminate the extension area from CenturyLink's service area and to  
24 allow MTCI to extend its CC&N service area to include the extension area.

25        6.       MTCI is a fit and proper entity to receive an extension of its CC&N service area to  
26 include the extension area.

27        7.       It is just and reasonable and in the public interest to allow MTCI to charge in the  
28 extension area the rates and charges in MTCI's existing tariffs on file with the Commission for the

1 Mill Site Exchange.

2 8. It is just and reasonable and in the public interest to allow the extension area to be  
3 included in MTCI's Mill Site Exchange.

4 9. Staff's recommendations, as set forth in Findings of Fact No. 47, are just and  
5 reasonable and in the public interest and should be adopted.

6 10. CenturyLink's request for the Commission to express support for an FCC waiver of  
7 the Study Area boundary freeze, to allow the transfer of the extension area from CenturyLink to  
8 MTCI, is just and reasonable and in the public interest and will be granted. Additionally, the  
9 Commission will require CenturyLink to file notice when such a waiver is received.

10 **ORDER**

11 IT IS THEREFORE ORDERED that Midvale Telephone Company, Inc.'s Certificate of  
12 Convenience and Necessity is hereby extended to include within its service area the extension area  
13 for which the full legal description is set forth in Exhibit A attached hereto.

14 IT IS FURTHER ORDERED that Qwest Corporation dba CenturyLink-QC's service area is  
15 hereby modified by eliminating from the service area the extension area for which the full legal  
16 description is set forth in Exhibit A attached hereto.

17 IT IS FURTHER ORDERED that Midvale Telephone Company, Inc. shall, within 60 days  
18 after the effective date of this Decision, file with the Commission's Docket Control, as a compliance  
19 item in this docket, an updated service area map showing the modification approved herein.

20 IT IS FURTHER ORDERED that Qwest Corporation dba CenturyLink-QC shall, within 60  
21 days after the effective date of this Decision, file with the Commission's Docket Control, as a  
22 compliance item in this docket, an updated service area map showing the modification approved  
23 herein.

24 IT IS FURTHER ORDERED that Midvale Telephone Company, Inc. shall charge in the  
25 extension area granted herein those rates and charges set forth in Midvale Telephone Company, Inc.'s  
26 existing tariffs on file with the Commission for its Mill Site Exchange.

27 IT IS FURTHER ORDERED that the Commission does not object to the Federal  
28 Communications Commission's granting a waiver of the Study Area boundary freeze to allow

Midvale Telephone Company, Inc. and Qwest Corporation dba CenturyLink-QC to modify their respective Study Areas to reflect the transfer of the extension areas granted herein.

IT IS FURTHER ORDERED that Qwest Corporation dba CenturyLink-QC shall file with the Commission's Docket Control, within 60 days after it occurs, a notice of the Federal Communications Commission's action on the Study Area boundary freeze waiver request.

IT IS FURTHER ORDERED that this Decision shall become effective immediately.

BY ORDER OF THE ARIZONA CORPORATION COMMISSION.

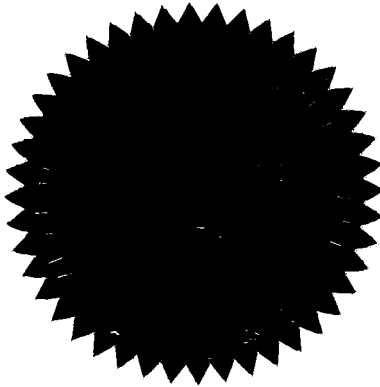
CHAIRMAN

COMMISSIONER

COMMISSIONER

COMMISSIONER

COMMISSIONER



IN WITNESS WHEREOF, I, JODI JERICH, Executive Director of the Arizona Corporation Commission, have hereunto set my hand and caused the official seal of the Commission to be affixed at the Capitol, in the City of Phoenix, this 23rd day of May 2014.

JODI JERICH  
EXECUTIVE DIRECTOR

DISSENT \_\_\_\_\_

DISSENT \_\_\_\_\_  
SH:ru

1 SERVICE LIST FOR: MIDVALE TELEPHONE COMPANY, INC.  
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28

**EXHIBIT A**

**MIDVALE TELEPHONE EXCHANGE, INC.**

**DOCKET NO. T-02532A-08-0542**

**SERVICE AREA TO BE TRANSFERRED FROM CENTURYLINK (QWEST) TO MIDVALE  
THIRD AMENDED LEGAL DESCRIPTION**

Township 16 North, Range 4 West of the Gila and Salt River Base and Meridian, Yavapai County, Arizona:

All of Sections 1, 2, 11, 12 and 13;

The North Half and the Southwest Quarter of Section 14;

The South Half and the Northwest Quarter of Section 15;

The West Half of Section 22;

The South Half and the Northwest Quarter of Section 23.

Township 16 North, Range 3 West of the Gila and Salt River Base and Meridian, Yavapai County, Arizona:

The West Half of Section 20;

That portion of Section 17 lying south of Williamson Valley Road (as it exists today) and west of the west boundary of the "Hootenanny Holler Subdivision" said subdivision boundary further described as follows:

Beginning at a point on the south line of said Section 17 which is 238.01 feet east of the South Quarter Corner;

THENCE North 28 Degrees 50 Minutes 25 Seconds West, along the west line of said "Hootenanny Holler" Subdivision, a distance of 172.15 feet to a point on a curve, concave to the east, the center of which bears North 61 Degrees 09 Minutes 35 Seconds East, a distance of 168.03 feet;

THENCE northerly, continuing along the west line of said "Hootenanny Holler" Subdivision and along the arc of said curve, through a central angle of 71 Degrees 03 Minutes 04 Seconds, a distance of 208.37 feet;

THENCE North 42 Degrees 12 Minutes 35 Seconds East, continuing along the west line of said "Hootenanny Holler" Subdivision, a distance of 728.73 feet to a point on a curve, concave to the east, the center of which bears South 47 Degrees 47 Minutes 25 Seconds East, a distance of 675.57 feet;

THENCE northeasterly, continuing along the west line of said "Hootenanny Holler" Subdivision and along the arc of said curve, through a central angle of 17 Degrees 13 Minutes 00 Seconds, a distance of 203.00 feet;

THENCE North 59 Degrees 25 Minutes 35 Seconds East, continuing along the west line of said "Hootenanny Holler" Subdivision, a distance of 633.11 feet to a point on a curve, concave to the northwest, the center of which bears North 30 Degrees 34 Minutes 25 Seconds West, a distance of 658.13 feet;

THENCE northeasterly, continuing along the west line of said "Hootenanny Holler" Subdivision and along the arc of said curve, through a central angle of 16 Degrees 53 Minutes 59 Seconds, a distance of 194.12 feet;

THENCE North 42 Degrees 31 Minutes 35 Seconds East, continuing along the west line of said "Hootenanny Holler" Subdivision, a distance of 645.96 feet to a point on a curve, concave to the southeast, the center of which bears South 47 Degrees 28 Minutes 25 Seconds East, a distance of 420.46 feet;

THENCE northeasterly, continuing along the west line of said "Hootenanny Holler" Subdivision and along the arc of said curve, through a central angle of 20 Degrees 33 Minutes 03 Seconds, a distance of 150.81 feet to Williamson Valley Road.

